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Attorney for Plaintiff and  
Counter-Defendant, THULE, INC.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

THULE, INC.,	)	Case No. CV 07-1146 ODW (JCx)
	)	
Plaintiff and	)	<b>[PROPOSED] CONSENT</b>
Counter-Defendant,	)	<b>JUDGMENT AND INJUNCTION</b>
	)	
vs.	)	
	)	
HOLLYWOOD ENGINEERING, INC.,	)	<b>HON. OTIS D. WRIGHT, II</b>
d/b/a HOLLYWOOD RACKS,	)	
	)	
Defendant and	)	
Counter-Claimant.	)	

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In the settlement of this action, Plaintiff Thule, Inc. (“Thule”) and Defendant Hollywood Engineering, Inc. d/b/a Hollywood Racks (“Hollywood”) have executed a Settlement Agreement (the “Agreement”).

Further to that Agreement, and good cause appearing therefore, IT IS HEREBY STIPULATED by and between Thule and Hollywood, that the Court enter the following Consent Judgment:

1. That this Court has subject matter jurisdiction over this action under 28 U.S.C. Sections 1331 and 1338(a);
2. That this Court has personal jurisdiction over the parties;
3. That Thule sells bicycle carriers adapted to be mounted on vehicles;
4. That in connection with its bicycle carriers, Thule and the Thule-related companies have developed intellectual property protection, including patent protection;

5. That Industri AB Thule is the owner of United States Patent No. 6,345,748 (“the ‘748 Patent”), and Thule is a licensee of Industri AB Thule, with the rights in the ‘748 Patent, including the right to enforce it against others;

6. That Hollywood sells bicycle carriers having anti-sway stabilizers adapted to be mounted on vehicles;

7. That in connection with its bicycle carriers, Hollywood has developed intellectual property protection, including patent protection;

8. That Hollywood is the owner of United States Patent No. 6,988,645 (“the ‘645 Patent”);

9. That United States Patent No. 6,345,748 is valid and enforceable;

10. That United States Patent No. 6,988,645 is valid and enforceable;

11. That Hollywood has distributed, sold, offered for sale, advertised, promoted, displayed, marketed, or imported and otherwise commercially used in interstate commerce and in this judicial district bicycle carriers adapted to be mounted on vehicles, which Thule asserts infringe the ‘748 Patent under 35 U.S.C. § 271;

12. That, subject to the terms of the Settlement Agreement between the parties, Hollywood and its agents, servants, employees, officers, directors, attorneys, successors and assigns, and all persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, be ENJOINED pursuant to Rule 65 of the Federal Rules of Civil Procedure from engaging in any of the following activities without the express permission of Thule:

Manufacturing, using, selling, offering to sell, or importing (directly or indirectly) bicycle carrier cradles adapted to be mounted on a bicycle carrier, substantially in the form shown in Exhibit A hereto during the time the ‘748 Patent is enforceable;

13. That each party shall bear its own costs and attorneys’ fees;

14. That, subject to the terms of this Consent Decree and the terms of the Settlement Agreement between the parties, all claims asserted between the parties in this litigation are dismissed WITH PREJUDICE; and

15. That this Court shall retain jurisdiction to enforce the terms of this Consent Judgment, Injunction, and the confidential Settlement Agreement of the parties, the terms of which are incorporated herein by reference, and to consider any dispute or action relating to or arising from the Consent Judgment, Injunction, or confidential Settlement Agreement, by motion, ex parte application, or otherwise.

**IT IS SO STIPULATED.**

By Counsel for Plaintiff and Counter-Defendant Thule Inc.:

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By Counsel for Defendant and Counter-Plaintiff Hollywood Engineering, Inc.  
d/b/a Hollywood Racks:

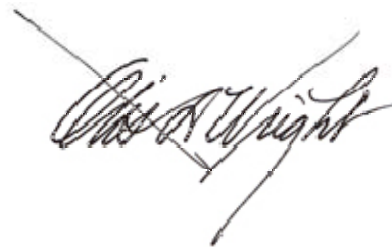
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Attorneys for Defendant  
And Counter-Plaintiff HOLLYWOOD  
ENGINEERING, INC.

**IT IS SO ORDERED.**

DATED: March 13, 2008



UNITED STATES DISTRICT JUDGE  
HON. OTIS D. WRIGHT, II

**Exhibit A**

**Hollywood Old Design Cradle**

